

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TIMOTHY JOHNSON,

Plaintiff

V.

DANA MARKS, et al.,

Defendants

Case No.: 3:23-cv-00361-ART-CSD

Order

Pending before the court is Plaintiff's motion for temporary restraining order and
nary injunction. (ECF Nos. 14, 15.) Plaintiff seeks an order directing NDOC to have him
a urologist or oncologist for his bladder tumor, and a vascular surgeon for his aortic
m. After briefing was completed on the motion, the court held a hearing on January 3,
By that time, Plaintiff had seen a urologist—Dr. Nixon, on December 14, 2023, who
hended surgery for removal of the tumor as soon as possible. The court requested that
Attorney General Rands file a notice concerning the scheduling of that surgery. (ECF
) Mr. Rands filed the notice that the surgery was scheduled, and he provided the dates to
rt under seal. (ECF Nos. 40, 41.)

18 By this time, the surgery should have taken place and Plaintiff should have had his follow
19 up appointment. On or before **February 14, 2024**, Mr. Rands shall file a status update advising
20 the court whether Plaintiff has in fact had his surgery and follow up appointment. Mr. Rands
21 shall also file under seal (no motion for leave is necessary) the surgical report as well as the
22 follow up report from Dr. Nixon. Finally, Mr. Rands shall ensure that Plaintiff is given a
23 reasonable opportunity to review these records.

1 After the court receives the status update and related filings, it will issue a report and
2 recommendation Plaintiff's motion for injunctive relief.

3 **IT IS SO ORDERED.**

4 Dated: February 7, 2024


Craig S. Denney
United States Magistrate Judge

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